

MARK STEGER SMITH
Assistant U.S. Attorney
U.S. Attorney's Office
2601 Second Avenue North, Suite
3200
Billings, MT 59101
Phone: (406) 247-4667
FAX: (406) 657-6058
mark.smith3@usdoj.gov

JEFFREY H. WOOD,
Acting Assistant Attorney General
United States Department of Justice
Environment and Natural Resources
Division

Attorneys for Federal Defendants

Jeffery J. Oven
Mark L. Stermitz
Jeffrey M. Roth
CROWLEY FLECK PLLP
490 North 31st Street, Ste. 500
P.O. Box 2529
Billings, MT 59103-2529
Telephone: 406-252-3441
Email: joven@crowleyfleck.com
mstermitz@crowleyfleck.com
jroth@crowleyfleck.com

SETH M. BARSKY, Section Chief
BRIDGET KENNEDY McNEIL (CO
Bar 34299)
Wildlife and Marine Resources Section
LUTHER L. HAJEK (CO Bar 44303)
Natural Resources Section
999 18th St., South Terrace, Suite 370
Denver, Colorado 80202
Ph: 303-844-1484; 303-844-1376
bridget.mcneil@usdoj.gov
luke.hajek@usdoj.gov

Peter R. Steenland
Peter C. Whitfield
Lauren C. Freeman
SIDLEY AUSTIN LLP
1501 K Street, NW
Washington, DC 20005
Telephone: 202-736-8000
Email: psteenland@sidley.com
pwhitfield@sidley.com
lfreeman@sidley.com

*Counsel for TransCanada Keystone Pipeline, LP
and TransCanada Corporation*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

INDIGENOUS ENVIRONMENTAL NETWORK, <i>et al.</i> , and NORTHERN PLAINS RESOURCE COUNCIL, <i>et al.</i> , Plaintiffs, v. UNITED STATES DEPARTMENT OF STATE, <i>et al.</i> , Federal Defendants, and TRANSCANADA CORPORATION, <i>et al.</i> , Intervenor-Defendants.	CV 17-29-GF-BMM CV 17-31-GF-BMM UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO RESPOND TO NORTHERN PLAINS PLAINTIFFS' MOTION TO ADMIT AND TO SUPPLEMENT THE ADMINISTRATIVE RECORDS
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Defendants United States Department of State (“State Department”);
Thomas A. Shannon, Jr., in his official capacity as Under Secretary of State;
United States Fish and Wildlife Service (“FWS”); James W. Kurth, in his official
capacity as Acting Director of the U.S. Fish and Wildlife Service; and Ryan Keith
Zinke, in his official capacity as Secretary of the Interior, and Defendant-
Intervenors TransCanada Corporation, hereby jointly move the Court to extend the

deadline for response to the Northern Plains Plaintiffs' Motion to Admit and to Supplement the Administrative Records (ECF No. 142) from February 23, 2018 until March 30, 2018. In support thereof, they state as follows:

1. Plaintiffs' motion was filed on February 9, 2018. Under the Local Rules, the deadline for responses to this motion is February 23, 2018.

2. Concurrent with filing the motion, both sets of Plaintiffs filed their motions for summary judgment, supporting memorandums, and numerous standing declarations, running to hundreds of pages. The Court has also set a hearing on February 21, 2018 concerning the Northern Plains plaintiffs' earlier administrative record motion. These litigation responsibilities, along with commitments in other cases, make it very difficult to respond to Plaintiffs' second administrative record motion within the time allotted under the Local Rules.

3. Given that the Northern Plains plaintiffs' have already relied upon, in their summary judgment motion, the materials that are the subject of their second administrative record motion, there is no procedural reason the motion needs to be addressed prior to the Federal Defendants and Defendant-Intervenors filing their cross-motions for summary judgment motion. Additionally, to the extent that there is overlap between the second administrative record motion and arguments presented in plaintiffs' summary judgment motions, Federal Defendants and Defendant-Intervenor anticipate that filing a response to the second administrative

record motion concurrent with their cross-motions for summary judgment will let the parties most effectively address these issues.

4. Accordingly, Federal Defendants and Defendant-Intervenors request that the February 23, 2018 deadline be extended until March 30, 2018, the current deadline for filing their cross-motions for summary judgment.

5. On February 15 and 16, counsel for Federal Defendants and Defendant-Intervenor conferred with the other parties to the case, who do not oppose the motion.

Respectfully submitted this 16th day of February, 2018,

JEFFREY H. WOOD, Acting Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

SETH M. BARSKY, Section Chief

/s/ Bridget K. McNeil

BRIDGET KENNEDY McNEIL (CO Bar 34299)
Senior Trial Attorney
Wildlife and Marine Resources Section
999 18th St., South Terrace, Suite 370
Denver, Colorado 80202
Ph: 303-844-1484
bridget.mcneil@usdoj.gov

LUTHER L. HAJEK (CO Bar 44303)
Natural Resources Section
999 18th Street, South Terrace, Suite 370
Denver, CO 80202
Ph: 303-844-1376
luke.hajek@usdoj.gov

Attorneys for Federal Defendants

/s/ Jeffery Oven

Jeffery J. Oven
Mark L. Stermitz
Jeffrey M. Roth
CROWLEY FLECK PLLP
490 North 31st Street, Ste. 500
P.O. Box 2529
Billings, MT 59103-2529
Telephone: 406-252-3441
Email: joven@crowleyfleck.com
mstermitz@crowleyfleck.com
jroth@crowleyfleck.com

/s/ Peter Steenland

Peter R. Steenland
Peter C. Whitfield
Lauren C. Freeman
Sidley Austin LLP
1501 K Street, NW
Washington, DC 20005
Telephone: 202-736-8000
Email: psteenland@sidley.com
pwhitfield@sidley.com
lfreeman@sidley.com

*Counsel for TransCanada Keystone
Pipeline, LP and TransCanada Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2018, a copy of the foregoing motion was served on all counsel of record via the Court's CM/ECF system.

/s/ Bridget K. McNeil
BRIDGET KENNEDY McNEIL
U.S. Department of Justice